(29)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) No. 1767 of 2007

Petitioner		Tikori, S/o Vanshraj, 53 yrs. Dealer *cum* Dresser, S.E.C.L. West Jhagadakhand Colliery, Hasdeo Area Distt. Koriya (C.G.)
	Versus	
Respondents	1.	South Eastern Coal Fields Ltd. Through: The C.M.D. S.E.C.L. Seepat Road, Bilaspur (C.G.).
	2.	The Chief General Manager, S.E.C.L. Jhagadakhand Colliery, Hasdeo Area Distt. Koriya (C.G.)
	3.	The Area Manager, West Jhagdakhand Colliery, Hasdeo Area Distt. Koriya (C.G.)

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Prafull Bharat, Advocate for the petitioner.

Shri Vinod Deshmukh, Advocate for the respondents.

ORDER

(Passed on this 23rd day of March, 2007)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. Learned counsel appearing for the petitioner submits that without any documentary evidence or any other basis, the date of birth of the petitioner was recorded in the service book, as 1.4.1946. On coming to know that the date of birth, so recorded in the service book is not correct and contrary to the date of birth recorded in the school leaving certificate, the petitioner made a representation to the concerned authority of the respondents-S.E.C.L. The respondent/authority has not taken any steps, as yet, on the representation of the petitioner, for correcting the date of birth.
2. Learned counsel for the petitioner further submits that there is a provision for resolving of dispute with regard to the date of birth of the

employees of the S.E.C.L. by the Age Determination Committee, which has been constituted under Clause C of the N.C.W.A.(III). It is next submitted that the respondents/authority be directed to refer the matter to the Age Determination Committee for adjudication of the dispute with regard to the date of birth of the petitioner, to which learned counsel appearing for the respondents has no objection.

3. The petition is accordingly disposed of with a direction to the respondents that the matter be referred to the Age Determination Committee for determination of the age of the petitioner, in accordance with law, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur